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United States Attorney John M. Bales
Eastern District of Texas

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CONTACT: DAVILYN WALSTON
PUBLIC INFORMATION OFFICER
PHONE: (409) 839-2538
CELL: (409) 553-9881

FLORIDA MAN CONVICTED FOR VIOLATIONS OF LACEY ACT

LUFKIN, Texas – U.S. Attorney John M. Bales announced that a Florida man has been convicted by a jury in Lufkin for his part in a conspiracy to violate the Lacey Act. The two day trial was held in Lufkin before U.S. District Judge Ron Clark in the Eastern District of Texas.

Loren Willis, 62, of West Palm Beach, Florida was found guilty by a jury on two charges of conspiracy to transport fish in interstate commerce in violation of state law or regulation, and transporting or selling a fish in interstate commerce in violation of state law or regulation. Willis was found not guilty of one additional charge of conspiracy to make or submit a false label for a fish that would be transported in interstate commerce.

The Lacey Act provides it is unlawful for any person to import, export, transport, sell, receive, acquire or purchase any fish or wildlife or plant taken, possessed, transported or sold in violation of any law, treaty, or regulation of the United States or in violation of any Indian tribal law whether in interstate or foreign commerce. Violations of the act can result criminal sanctions of \$250,000 in fines and/or up to five years imprisonment.

According to information presented in court, in September 2010, Willis and one of his co-defendants traveled from Florida to Texas with the intention to harvest alligator gar from the Trinity River for the purpose of selling the fish in Japan. Willis did not obtain a non-resident Texas fishing license before harvesting the fish. An additional co-defendant has pleaded guilty to charges he altered the documentation submitted to the United States Fish and Wildlife Service to reflect that the fish were captive bred, rather than harvested in the wild. Captive bred fish are not required to be inspected prior to export. The fish which were harvested from the Trinity River were transported by Willis and his co-defendant to Florida, where they were later exported to Japan. Both of Willis' co-defendants pleaded guilty prior to trial.

The trial was the culmination of what began as a nine-month joint investigation between the Texas Parks and Wildlife Department Special Operations Unit and the United States Fish and Wildlife Service. In August 2010, the two agencies began investigating multiple individuals who were taking alligator gar illegally from the Trinity River, and subsequently selling the fish domestically and internationally.

“The operation was unique by the fact that most of our poaching activity originates from within the state of Texas,” said Texas Game Warden Sergeant Dean Fitzpatrick, lead investigator on TPWD’s Special Operations Unit. “There is a considerable amount that is often seen interstate, however, the interstate to international connection, as seen in this case, is less common. It is this kind of large scale criminal activity that we are encountering and curtailing on a more frequent basis.”

Texas has taken steps in recent years to provide additional protection for alligator gar, including a one-fish-per-day bag limit.

"In Texas, increased fishing pressure for alligator gar and future degradation of habitats potentially threaten existing alligator gar populations," said Dave Buckmeier, fisheries biologist with TPWD. "The declines in other states and vulnerability to overfishing indicate a conservative approach is warranted until populations and potential threats can be fully assessed."

What information is known about alligator gar suggests that protecting the large fish that anglers tend to target is a vital component of a successful management strategy. "Alligator gar mature between 10 to 14 years of age and are thought to spawn in flooded backwater areas," Buckmeier said. "Because spawning is linked to seasonal flooding, successful spawns may be infrequent." And because gar spawn in shallow water, they are vulnerable to overharvest during this crucial time in their life cycle.

In addition, human activities have significantly altered alligator gar habitat over the last century. Reservoir-building and the loss of wetlands have reduced the amount of spawning habitat available. Increased water demands by our growing population will further reduce spring-time flooding of riverine backwaters needed for spawning. Such conditions will reduce the frequency of successful spawns and increase the need to limit harvest to sustainable levels.

In the case of the Trinity River, a number of successful spawns in recent years is good news for the fishery. "Those fish will support the fishery 25 to 35 years from now if they survive," Buckmeier points out.

According to information presented in court, Willis and his co-defendants were not satisfied with taking only large brood fish. They eventually escalated their attempt to exploit the alligator gar population by trying to purchase thousands of alligator gar fry from undercover agents. This attempt was foiled by federal and state agents.

This case is being investigated by the United States Fish and Wildlife Service, the Texas Parks and Wildlife Department and the Florida Fish and Wildlife Service and is being prosecuted by Assistant U.S. Attorney Reynaldo Morin.

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